



General Assembly

Amendment

February Session, 2002

LCO No. **3823**

SB0029803823SD0

Offered by:

SEN. GAFFEY, 13th Dist.

REP. STAPLES, 96th Dist.

To: Subst. Senate Bill No. **298**

File No. 70

Cal. No. 84

***"AN ACT CONCERNING TEACHERS AND COLLECTIVE
BARGAINING."***

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10-151b of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2002*):

5 (a) The superintendent of each local or regional board of education
6 shall, in accordance with guidelines established by the State Board of
7 Education for the development of evaluation programs and such other
8 guidelines as may be established by mutual agreement between the
9 local or regional board of education and the teachers' representative
10 chosen pursuant to section 10-153b, continuously evaluate or cause to
11 be evaluated each teacher. An evaluation pursuant to this subsection
12 shall include, but need not be limited to, strengths, areas needing
13 improvement and strategies for improvement. Claims of failure to
14 follow the procedures established in said evaluation programs shall be

15 subject to the grievance procedure in collective bargaining agreements
16 negotiated subsequent to July 1, 2002. The superintendent shall report
17 the status of teacher evaluations to the local or regional board of
18 education on or before June first of each year. For purposes of this
19 section, the term "teacher" shall include each professional employee of
20 a board of education, below the rank of superintendent, who holds a
21 certificate or permit issued by the State Board of Education.

22 (b) Each local and regional board of education shall develop and
23 implement teacher evaluation programs consistent with guidelines
24 established by the State Board of Education and consistent with the
25 plan developed in accordance with the provisions of subsection (b) of
26 section 10-220a.

27 Sec. 2. Subsection (d) of section 10-220a of the general statutes is
28 repealed and the following is substituted in lieu thereof (*Effective July*
29 *1, 2002*):

30 (d) The state Department of Education may fund, within available
31 appropriations, in cooperation with one or more regional educational
32 service centers: (1) A cooperating teacher program to train Connecticut
33 public school teachers and certified teachers at private special
34 education facilities approved by the Commissioner of Education and at
35 other facilities designated by the commissioner, who participate in the
36 supervision, training and evaluation of student teachers; (2) institutes
37 to provide continuing education for Connecticut public school
38 educators, assessors and cooperating teachers and teacher mentors,
39 including institutes to provide continuing education for Connecticut
40 public school educators offered in cooperation with the Connecticut
41 Humanities Council; and (3) a beginning teacher support and
42 assessment program to train Connecticut public school teachers and
43 other qualified persons approved by the Commissioner of Education
44 and certified teachers at such private special education and other
45 designated facilities who serve as mentors or assessors for beginning
46 teachers and who supervise, train and assist or assess beginning
47 teachers in their initial years in teaching and to pay stipends to

48 assessors. Funds available under this subsection shall be paid directly
49 to school districts for the provision of substitute teachers when
50 cooperating teachers, teacher mentors, beginning teachers and
51 assessors are released from regular classroom responsibilities and for
52 the provision of professional development activities for cooperating
53 and student teachers, teacher mentors, assessors and beginning
54 teachers. The cooperating teacher and beginning teacher support and
55 assessment programs shall operate in accordance with regulations
56 which shall be adopted by the State Board of Education pursuant to
57 chapter 54. Student teachers shall be placed with trained cooperating
58 teachers. Beginning teachers shall participate in a beginning teacher
59 support and assessment program as made available by the board.
60 School districts shall be responsible for providing support to beginning
61 teachers which shall include, but not be limited to, the placement of
62 beginning teachers with trained teacher mentors who may be full or
63 part-time teachers in the same or a different building than the
64 beginning teacher and provision of trained assessors to conduct
65 assessments of beginning teachers. Cooperating teachers, teacher
66 mentors and assessors may serve concurrently in more than one
67 capacity and may be assigned more than one student teacher or
68 beginning teacher in each such capacity. The assessment of each
69 beginning teacher shall be based upon, but not limited to, data
70 obtained from observations conducted by assessors using an
71 assessment instrument. Notwithstanding any regulation to the
72 contrary, the State Board of Education may require less than six
73 observations as part of such assessment for the fiscal year ending June
74 30, 1992, and may establish different assessment standards for use
75 during such fiscal year. Notwithstanding any regulation to the
76 contrary, a beginning teacher need not be assessed by a certified
77 teacher who holds a certification endorsement in the same general
78 subject area as such beginning teacher. Cooperating teachers and
79 teacher mentors who are Connecticut public school teachers and
80 assessors who are employed by school districts shall be selected by
81 local and regional boards of education. Cooperating teachers and
82 teacher mentors and assessors at such private special education and

83 other designated facilities shall be selected by the authority responsible
84 for the operation of such facilities. If a board of education is unable to
85 identify a sufficient number of individuals to serve in such positions,
86 the commissioner may select qualified persons who are not employed
87 by the board of education to serve in such positions. Such regulations
88 shall require primary consideration of teachers' classroom experience
89 and recognized success as educators. The provisions of sections 10-
90 153a to 10-153n, inclusive, as amended by this act, shall not be
91 applicable to the selection [] and placement [and compensation] of
92 persons participating in the cooperating teacher and beginning teacher
93 support and assessment programs pursuant to the provisions of this
94 section, but the provisions of said sections 10-153a to 10-153n,
95 inclusive, shall be applicable to the compensation and to the hours and
96 duties of such persons. The State Board of Education shall protect and
97 save harmless, in accordance with the provisions of section 10-235, any
98 cooperating teacher, teacher mentor or assessor while serving in such
99 capacity.

100 Sec. 3. Subsection (b) of section 10-153d of the general statutes is
101 repealed and the following is substituted in lieu thereof (*Effective July*
102 *1, 2002*):

103 (b) The local or regional board of education and the organization
104 designated or elected as the exclusive representative for the
105 appropriate unit, through designated officials or their representatives,
106 shall have the duty to negotiate with respect to salaries, hours and
107 other conditions of employment about which either party wishes to
108 negotiate including, but not limited to, in agreements negotiated
109 subsequent to July 1, 2002, compensation of mentor teachers
110 participating in the cooperating teacher and beginning teacher support
111 and assessment programs pursuant to the provisions of section 10-
112 220a, as amended by this act, and to the hours and duties of such
113 persons. For purposes of this subsection and sections 10-153a, 10-153b,
114 as amended by this act, and 10-153e to 10-153g, inclusive, as amended,
115 (1) "hours" shall not include the length of the student school year, the
116 scheduling of the student school year, the length of the student school

117 day, the length and number of parent-teacher conferences and the
118 scheduling of the student school day, except for the length and the
119 scheduling of teacher lunch periods and teacher preparation periods,
120 and (2) "other conditions of employment" shall not include the
121 establishment or provisions of any retirement incentive plan
122 authorized by section 10-183jj. Such negotiations shall commence not
123 less than two hundred ten days prior to the budget submission date.
124 Any local board of education shall file forthwith a signed copy of any
125 contract with the town clerk and with the Commissioner of Education.
126 Any regional board of education shall file forthwith a signed copy of
127 any such contract with the town clerk in each member town and with
128 the Commissioner of Education. Upon receipt of a signed copy of such
129 contract the clerk of such town shall give public notice of such filing.
130 The terms of such contract shall be binding on the legislative body of
131 the local or regional school district, unless such body rejects such
132 contract at a regular or special meeting called and convened for such
133 purpose within thirty days of the filing of the contract. If a vote on
134 such contract is petitioned for in accordance with the provisions of
135 section 7-7, in order to reject such contract, a minimum number of
136 those persons eligible to vote equal to fifteen per cent of the electors of
137 such local or regional school district shall be required to participate in
138 the voting and a majority of those voting shall be required to reject.
139 Any regional board of education shall call a district meeting to
140 consider such contract within such thirty-day period if the chief
141 executive officer of any member town so requests in writing within
142 fifteen days of the receipt of the signed copy of the contract by the
143 town clerk in such town. The body charged with making annual
144 appropriations in any school district shall appropriate to the board of
145 education whatever funds are required to implement the terms of any
146 contract not rejected pursuant to this section. All organizations seeking
147 to represent members of the teaching profession shall be accorded
148 equal treatment with respect to access to teachers, principals, members
149 of the board of education, records, mail boxes and school facilities and,
150 in the absence of any recognition or certification as the exclusive
151 representative as provided by section 10-153b, as amended by this act,

152 participation in discussions with respect to salaries, hours and other
153 conditions of employment.

154 Sec. 4. Subsection (a) of section 10-153b of the general statutes is
155 repealed and the following is substituted in lieu thereof (*Effective July*
156 *1, 2002*):

157 (a) Whenever used in this section or in sections 10-153c to 10-153n,
158 inclusive, as amended by this act: (1) The "administrators' unit" means
159 the certified professional employee or employees in a school district
160 not excluded from the purview of sections 10-153a to 10-153n,
161 inclusive, as amended by this act, employed in positions requiring an
162 intermediate administrator or supervisor certificate, or the equivalent
163 thereof, and whose administrative or supervisory duties, for purposes
164 of determining membership in the administrators' unit, shall equal at
165 least fifty per cent of the assigned time of such employee. Certified
166 professional employees covered by the terms and conditions of a
167 contract in effect prior to October 1, 1983, shall continue to be covered
168 by such contract or any successor contract until such time as the
169 employee is covered by the terms and conditions of a contract
170 negotiated by the exclusive bargaining unit of which the employee is a
171 member for purposes of collective bargaining pursuant to the
172 provisions of this section. (2) The "teachers' unit" means the group of
173 [certified] professional employees who hold a certificate or durational
174 shortage area permit issued by the State Board of Education under the
175 provisions of sections 10-144o to 10-149, inclusive, and are employed
176 by a local or regional board of education in positions requiring such a
177 [teaching or other] certificate or durational shortage area permit and
178 are not included in the administrators' unit or excluded from the
179 purview of sections 10-153a to 10-153n, inclusive, as amended by this
180 act. (3) "Commissioner" means the Commissioner of Education. (4) "To
181 post a notice" means to post a copy of the indicated material on each
182 bulletin board for teachers in every school in the school district or, if
183 there are no such bulletin boards, to give a copy of such information to
184 each employee in the unit affected by such notice. (5) "Budget
185 submission date" means the date on which a school district is to submit

186 its itemized estimate of the cost of maintenance of public schools for
 187 the next following year to the board of finance in each town having a
 188 board of finance, to the board of selectmen in each town having no
 189 board of finance and, in any city having a board of finance, to said
 190 board, and otherwise to the authority making appropriations therein.
 191 (6) "Days" means calendar days.

192 Sec. 5. Subdivision (2) of subsection (a) of section 10-151 of the
 193 general statutes is repealed and the following is substituted in lieu
 194 thereof (*Effective July 1, 2002*):

195 (2) The term "teacher" shall include each [certified] professional
 196 employee holding a certificate or durational shortage area permit
 197 issued by the State Board of Education under the provisions of sections
 198 10-144o to 10-149, inclusive, below the rank of superintendent
 199 employed by a board of education for at least ninety days in a position
 200 requiring a certificate or durational shortage area permit issued by the
 201 State Board of Education."

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>